

I-817, Application for Family Unity Benefits

Instructions

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A#), if you have one, at the top of each sheet and indicate the number of the item to which the answer refers. **NOTE:** U.S.Citizenship and Immigration Services (USCIS) is comprised of offices of the Immigration and Naturalization Service (INS).

Use Form I-817 to apply for family unity benefits.

You will need to submit:

- Three color photos
- Documents to support your request
- Translations of any non-English documents
- Appropriate filing fee
- When required, the biometric services fee for USCIS to take your fingerprints and, if necessary, also your signature and photograph.

To file this application see Step 3 for specific instructions.

When Should I Use Form I-817?

You should use Form I-817 to request initial benefits under the Family Unity Program as well as to request an extension of such benefits.

Form I-817 should be used if you are applying for Family Unity Program benefits pursuant to section 301 of the Immigration Act of 1990 (IMMACT 90), or if you are applying pursuant to section 1504 of the Legal Immigration Family Equity Act (LIFE Act) Amendments.

If you are granted family unity benefits under IMMACT 90, you are authorized to remain in the United States for two years and you will receive an Employment Authorization Document (EAD) valid for the same period.

If you are granted family unity benefits pursuant to the LIFE Act Amendments, you are authorized to remain in the United States for two years (or one year if your spouse or parent has not adjusted to lawful permanent resident status). You will receive an EAD valid for the same period. You should file only this Form I-817 application with supporting documents to request authorization to remain in the United States and an EAD.

If after granted family unity benefits under either IMMACT 90 or the LIFE Act Amendments, you intend to travel outside the United States temporarily, you must apply for advance authorization by completing Form I-131, Application for Travel Document. Upon approval of the Form I-131, you will be issued a Form I-512, Authorization of Parole Into the United States. Advance parole allows you to leave the United States and be paroled back into the United States when you return.

Notice

USCIS wants to make sure that you receive any immigration benefits to which you are entitled. To do this, we may ask for more evidence, interview you and/or conduct an investigation. **If you give us false documents, misrepresent facts or otherwise engage in fraud, USCIS will take appropriate action.** This means we will not only deny your application, but also you may lose current and future immigration benefits. You may also face penalties including criminal and/or civil prosecution leading to fines and/or imprisonment.

How Do I File Form I-817?

You must fill out a separate Form I-817 for each person who needs to apply for family unity benefits. Follow the steps below to complete the application process:

Step 1 - Reason for Filing Form I-817

Step 2 - Fill Out the Form I-817

Step 3 - Submit Your Application

Step 1. Reason for Filing Form I-817.

Under IMMACT 90.

To prove eligibility for Family Unity Program benefits under **IMMACT 90**, you must meet the following conditions.

- You must have entered the United States prior to May 5, 1988, or December 1, 1988, as appropriate, and have been continuously residing in the United State since that date.
- You were the spouse or unmarried child under the age of 21 years of a legalized alien as of May 5, 1988, or December 1, 1988, as appropriate, and you have been continuously eligible since that date for family-sponsored immigrant status based on your relationship to that person.

NOTE: If you were an unmarried child under the age of 21 as of May 5, 1988 or December 1, 1988, as appropriate, who has since been married, you will be regarded as continuously eligible for family sponsored immigration benefits only if you were married after the legalized alien, through whom your eligibility was gained, naturalized as a U.S. citizen.

NOTE: For information on the two dates, May 5, 1988 or December 1, 1988, go to **Page 2** of these instructions and read "Relationship to a legalized alien."

Under LIFE Act Amendments.

To prove eligibility for Family Unity Program benefits under the **LIFE Act Amendments**, you must be the spouse or unmarried child under the age of 21 of an alien who is eligible for adjustment pursuant to section 1504(b) of the LIFE Act; and:

- Your spouse or parent has applied for or been granted adjustment of status; and
- You entered the United States before December 1, 1988, and resided in the United States on that date.

A legalized alien is someone who obtained temporary or permanent residence in the United States as a Special Agricultural Worker under section 210 of the Immigration and Nationality Act (INA), through Legalization under section 245A of the INA or under section 1504(b) of Public Law 106-553 (the LIFE Act). For the purposes of this form, a legalized alien is also someone who obtained permanent residence through a Cuban/Haitian Adjustment under section 202 of the Immigration Reform and Control Act of 1986.

The classes of individuals eligible to apply for family unity benefits are listed below. Check the box in **Part 2** of the Form I-817 that matches your request.

Relationship to a legalized alien:

- I am the spouse of an alien who was legalized under section 245A of the INA and we have been married since at least May 5, 1988. **Check box A** if your relationship was established on or before May 5, 1988 and you currently meet the residence and continuous eligibility requirements.
- I am the spouse of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA and we have been married since at least December 1, 1988. **Check box B** if your relationship was established on or before December 1, 1988 and you currently meet the residence and continuous eligibility requirements.
- As of May 5, 1988, I was the unmarried child under the age of 21 of an alien who was legalized under section 245A of the INA. I am currently the child, son or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before May 5, 1988 and maintained such status until his or her naturalization. **Check box C** if your relationship was established on or before May 5, 1988 and you currently meet the residence and continuous eligibility requirements.
- As of December 1, 1988, I was the unmarried child under the age of 21 of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA. I am currently the child, son or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before December 1, 1988 and maintained such status until his or her naturalization. **Check box D** if your relationship was established on or before December 1, 1988 and you currently meet the residence and continuous eligibility requirements.
- I am the spouse of a legalized alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment) and we have been married since at least May 5, 1988. **Check box E** if your relationship was established on or before May 5, 1988 and you currently meet the residence and continuous eligibility requirements.

- As of May 5, 1988, I was the unmarried child under the age of 21 of an alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment). I am currently the child, son or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before May 5, 1988 and maintained such status until his or her naturalization. **Check box F** if your relationship was established on or before May 5, 1988 and you currently meet the residence and continuous eligibility requirements.

Relationship to an alien eligible for adjustment of status under the provisions of section 1104(b) of Public Law 106-553 (the LIFE Act):

- I am the spouse of an alien who is eligible for and has filed for adjustment pursuant to section 1504 of Public Law 106-554, the LIFE Act Amendments. I entered the United States before December 1, 1988 and was in the United States on that date. **Check box G** if you entered the United States before December 1, 1988 and you were in the United States on that date.
- I am the unmarried child of an alien who is eligible for and has filed for adjustment pursuant to section 1504 of Public Law 106-554, the LIFE Act Amendments. I entered the United States before December 1, 1988 and was in the United States on that date. **Check box H** if you entered the United States before December 1, 1988 and were in the United States on that date.

NOTE: When a legalized alien becomes a U.S. citizen, his or her spouse and unmarried children under the age of 21 will be eligible to apply for an immigrant visa or to adjust status as a permanent resident. If you are eligible to apply abroad for an immigrant visa abroad, you must follow U.S. Department of State requirements. To apply for adjustment of status, you must follow the requirements set forth in the INA and Title 8, Code of Federal Regulations.

I am requesting:

- **Initial Family Unity benefits under section 301 of IMMACT 90.** **Check box A** if this is your first application requesting Family Unity benefits.
- **An extension of Family Unity benefits under section 301 of IMMACT 90.** **Check box B** if you already have benefits under the Family Unity Program and you are requesting an extension. You must submit proof that a Form I-130, Petition for Alien Relative, has been filed on your behalf if the legalized alien through whom Family Unity benefits were obtained is a lawful permanent resident or naturalized U.S. citizen.
- **Initial Family Unity benefits under the LIFE Act as amended.** **Check box C** if this is your first application requesting Family Unity benefits under the LIFE Act as amended.

Step 2. Fill Out the Form I-817.

Use **black ink only**. Type or print clearly using **CAPITAL** letters. If an item does not apply to you, write "N/A." If the answer is none, write "NONE."

This form is divided into **Parts 1** through **8**. The following information should help you fill out the form.

Part 1 - Information about you.

- **Family Name** (Last name) - Use your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.
- **Alien Registration Number (A #)** - This is your file number. If you do not have an A # or do not know it, leave this blank. If your A # has 8 digits, place a zero before the first number (example: A12345678 should be written A012345678).
- **U.S. Social Security #** - If you do not have a U.S. Social Security number, leave this blank.
- **Date of Birth** - Use eight numbers to show your date of birth (example: May 1, 1979, should be written 05/01/1979).
- **Country of Birth** - Give the name of the country where you were born. Include the city, state or province, and country.
- **Country of Citizenship** - Give the name of the country or countries of which you are a citizen.
- **Home Address** - Give your physical street address. This must include a street number and name or a rural route number. Do not put a post office box (P.O. Box) number here.
- **Mailing Address** - Give your U.S. mailing address, if different from your home address.
- **Daytime Telephone Number** - Give a telephone number where you can be reached during the day. Include area, country and city codes, if applicable.

Part 2 - Basis for my application.

- **Number 1** - Check one box that applies to your particular circumstance.
- **Number 2** - Check one box that relates to what you are requesting.

Part 3 - Additional information.

- The information requested is about you. You must provide all the requested information in numbers **1** through **5**. You must answer all the questions numbered **6** through **34**.

Part 4 - Information about the legalized alien or an applicant qualifying for Legalization under the LIFE Act.

- The information requested is about the legalized alien through whom you are claiming eligibility or an applicant qualifying for Legalization under the LIFE Act.

Part 5 - Complete only if the legalized alien is your spouse or if your spouse is eligible for adjustment under the LIFE Act.

- Provide the requested information about your qualifying marriage.

Part 6 - Complete only if the legalized alien is your parent or if your parent is eligible for adjustment under the LIFE Act.

- Provide the requested information about your relationship to the alien.
- If you are married, divorced or widowed, provide the requested information.

Part 7 - Your signature.

- You must sign and date your application. If you do not sign the form, the application will be returned as incomplete.
- A parent or legal guardian may sign the application on behalf of a child under the age of 14 years.

Part 8 - Signature of person preparing form, if other than applicant.

- If you do not fill out the Form I-817, the preparer must also sign and date the form and give his or her address.
- If the preparer is a business or organization, its name must be included on the application.

Signature for placement on Employment Authorization Document.

Please make sure that your signature fits into the box provided. **No part of your signature should be outside the box.**

Step 3. Submit Your Application.

Your application must include the following items.

- **Your signed and completed Form I-817.**
- **Filing Fee.**

The filing fee for Form I-817 is **\$200.00**.

You must also pay a **\$70.00** biometric services fee for fingerprinting in the following cases:

- You are filing an initial application and you are age 14 years or older.
- You were under the age of 14 when your initial application was filed but you are now 14 or older and are filing for an extension.
- You are filing for an extension and USCIS has requested that you be fingerprinted. If necessary, USCIS may also take your photograph and signature as part of the required biometric services.

NOTE: Replacement EAD - The fee to replace a lost, stolen or mutilated EAD, or one that contains erroneous information, is the standard fee as explained on Form I-765, Application for Employment Authorization Document.

Use the following guidelines when you prepare your check or money order:

- The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency. **Do not mail cash.**
- Make the check or money order payable to: **Department of Homeland Security.**

NOTE: Spell out Department of Homeland Security. Do not use the initials "DHS" or "USDHS."

Your check or money order must be honored by the bank or financial institution. If it is not, a charge will be imposed and your application and any document issued to you will not be valid.

How to Check If the Fees Are Correct.

The fees on this form are current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

- Visit our website at **www.uscis.gov** and scroll down to "Forms and E-Filing" to check the appropriate fees, or
- Review the Fee Schedule included in your form package, if you called us to request the form, or
- Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

NOTE: If your petition or application requires a biometric services fee for USCIS to take your fingerprints, photograph or signature, you can use the same procedure above to confirm the biometrics fee.

- **Biometric Services.** When required, fingerprints must be taken at USCIS Application Support Center (ASC) after you file your application. USCIS will send you a notice about where to go and when to get your fingerprints taken. As part of the biometric services, USCIS may also take your signature and photograph.
- **Photos.** You will need three identical passport-style color photos of yourself taken no more than 30 days before the date of your filing this application. Using a pencil, lightly write your name and A # on the back of each photo. The photos must:
 - Have a white background, be unmounted, have a glossy finish, and not be retouched;
 - Show a full frontal facial position without earrings;
 - Show your head uncovered, unless you are wearing a headdress as required by your religion; and
 - Not be larger than 2 by 2 inches, with the distance from the top of the head to just below your chin about 1¼ inches.
- **Evidence.** Attach copies showing the front and back of the documents you need to support your application. **Do not send original documents unless instructed to do so.**

NOTE: If you send us a document in a foreign language, it must have a full English translation that the translator has certified as complete and correct. The translator must also certify that he or she is competent to translate the foreign language into English.

If you are requesting initial Family Unity benefits under section 301 of IMMACT 90. Copies of the following documents are evidence that the required relationship exists and that you may be eligible to file an initial application:

- A copy, front and back, of the document issued by USCIS (or former INS) to your legalized spouse or parent (for example: Form I-551, Permanent Resident Card, N-550, Certificate of Naturalization, etc.).
- **If the legalized alien is your spouse** - Submit a copy, front and back, of a registered marriage certificate. If you or your spouse were previously married, submit a copy of a final divorce decree or death certificate.
- **If the legalized alien is your parent** - Give evidence of a valid parent-child relationship. This evidence can vary depending on the circumstances of your relationship.

- If your mother is the legalized alien, submit a copy of your birth certificate showing your mother's name.
- If you were born in wedlock and the legalized alien is your natural father, submit a copy of your birth certificate showing your father's name, your parent's marriage certificate and proof of termination of any of their prior marriages.
- If you are the legitimated child of a legalized father, submit a copy of your birth certificate and evidence of your legitimation. Legitimation may be established by the marriage certificate of your natural parents or by documents of legitimation issued by civil authorities. The legitimation must have occurred while you were unmarried and prior to your 18th birthday. You must also submit evidence of any legal termination of your parent's prior marriages, if your legitimation resulted from your natural parents' marriage to each other.
- If you were born out of wedlock and the legalized alien is your natural father, submit a copy of your birth certificate showing your father's name. Evidence showing that a bona fide relationship exists must also be provided. Such evidence may include but is not limited to: money order receipts or canceled checks showing your father's financial support; your father's income tax returns; your father's medical or insurance records showing you as a beneficiary; your school records; your father's work documents showing you as a beneficiary; correspondence; and/or notarized affidavits from witnesses who are knowledgeable about the relationship.
- If the legalized alien is your stepparent, whether or not you were born in wedlock, evidence must be provided showing that you had not yet reached the age of 18 years at the time of the marriage creating your status as a stepchild. Submit a copy of your birth certificate showing the name of your natural parent to whom your stepparent is married. You must also provide copy of the marriage certificate that created the stepparent-stepchild relationship and evidence of termination of any previous marriages of your natural parent and stepparent.
- If you are the adopted child of a legalized alien parent, submit a certified copy of your adoption decree showing that you were adopted while under the age of 16 years; a copy of the legal custody decree if your custody was obtained before adoption; and a statement showing the dates and places where you and your adoptive parent(s) have lived.

NOTE: If you or your parent have had a name change, the document authorizing the name change must be submitted.

If you are requesting initial Family Unity benefits under section 1504 of Pub. L. 106-554, LIFE Act, as amended. Copies of the following documents are evidence that the required relationship exists and that you may be eligible to file an initial application:

- If the alien eligible for adjustment under the LIFE Act is your spouse, submit a copy, front and back, of a registered marriage certificate. If you or your spouse were married previously, submit a copy of a final divorce decree or death certificate.
- If the alien eligible for adjustment under the LIFE Act is your parent, give evidence of a valid parent-child relationship. This evidence can vary depending on the circumstances of your relationship:
 - If your mother is the alien eligible for adjustment under the LIFE Act, submit a copy of your birth certificate showing your mother's name.
 - If you were born in wedlock and the alien eligible for adjustment under the LIFE Act is your natural father, submit a copy of your birth certificate, your parent's marriage certificate and proof of termination of any prior marriages.
 - If you are the legitimated child of an alien eligible for adjustment under the LIFE Act, submit a copy of your birth certificate and evidence of your legitimation. Legitimation may be established by the marriage certificate of your natural parents or by documents of legitimation issued by civil authorities. The legitimation must have occurred while you were unmarried and prior to your 18th birthday. You must also submit evidence of any legal termination of your parent's prior marriages, if your legitimation resulted from your natural parents' marriage to each other.
 - If you were born out of wedlock and the alien eligible for adjustment under the LIFE Act is your natural father, submit a copy of your birth certificate showing your father's name. Evidence showing that a bona fide relationship exists must also be submitted. Such evidence may include, but is not limited to: money order receipts or canceled checks showing your father's financial support; your father's income tax returns; your father's medical or insurance records showing you as a beneficiary; your school records; your father's work documents showing you as a beneficiary.

- If the alien eligible for adjustment under the LIFE Act is your stepparent, whether or not you were born in wedlock, evidence must be provided showing that you had not yet reached the age of 18 years at the time of the marriage creating your status as a stepchild. Submit a copy of your birth certificate showing the name of your natural parent to whom your stepparent is married. A copy of the marriage certificate that created the stepparent-stepchild relationship and evidence of termination of any previous marriages of your natural parent and stepparent must also be provided.
- If you are the adopted child of an alien parent eligible for adjustment under the LIFE Act, submit a certified copy of your adoption decree showing that you were adopted while under the age of 16 years; a copy of the legal custody decree if your custody was obtained before adoption; and a statement showing the dates and places you and your adoptive parent(s) have lived together.

NOTE: If you or your parent have had a name change, the document authorizing the name change must be submitted.

Secondary evidence (for applicants of both section 301 of IMMACT 90 and section 1504 of Public Law

106-554, the LIFE Act, as amended) - Official documents must be issued by the civil registrar, vital statistics office or other civil authority. If such documents are unavailable, you must file your application with evidence from those authorities establishing that the primary evidence is unavailable. You must then submit secondary evidence to establish the facts in question. Submit as many types of secondary evidence as possible to verify the claimed relationship. Any evidence submitted must contain enough information (dates, names, etc.) to establish the event you are trying to prove. Listed below are examples of secondary evidence:

- **Baptismal certificate.** A certificate under the seal of the church or other religious entity where the baptism or similar rite took place. The certificate must have been issued within two months of the birth, show the date and place of the birth, date of the baptism, and names of the child's parents.
- **School record.** A letter from the school official charged with recording attendance. The letter must show the date of admission, the child's date of birth or age at the time of admission, and the place of birth of the parents, if shown in the record.

- **Census record.** State or federal census record showing the name(s) and place(s) of birth, and date(s) of birth or age(s) of the person(s) listed.

As noted above, if all forms of primary and secondary evidence are unavailable, you must file your application with evidence from those authorities stating that such evidence is not available. In such case, you may submit at least two affidavits sworn to or affirmed by persons who are not parties to the application who have direct personal knowledge of the events or circumstances. The persons making the affidavits do not have to be U.S. citizens.

Each affidavit must contain the full name, address, date and place of birth, and signature of the person attesting to the event(s). The affidavit must also explain the person's relationship to you, full information concerning the event(s); and complete details of how the person acquired the information.

Evidence of continuous residence requirements for Family Unity applicants under section 301 of IMMACT 90 -

You must submit at least three documents that prove residence in the United States since May 5, 1988 or December 1, 1988. Such evidence may include but is not limited to:

- Employment records, pay stubs, W-2 Forms, federal and/or state tax returns, letter(s) from employers or, if you are self-employed, letters from banks and other firms with whom you have done business. Your name and the name of the employer or other interested organization must appear on the form or letter.
- Employment letters must be in affidavit form and must be signed by the employer under penalty of perjury. The letters must include dates of employment, your home address at the time of employment, and your duties with the company.
- Hospital or medical records showing treatment or hospitalization of you or your children in the United States. The records must show the name of the medical facility or physician and the date(s) of the treatment or hospitalization.
- Attestations by an official of a church, union or other organization indicating your residence, dates of membership, and attendance. The statement must include the organization's seal and be on official letterhead stationary, if available.
- Rent receipts, utility bills or letters from companies showing the dates when you received service.

- School records (letters, report cards, etc.) from schools you or your children have attended in the United States that show the name of the school and periods of attendance.
- Any other relevant documents such as money order receipts, passport entries, insurance documents, birth certificates of children born in the United States, correspondence between you and another person or organization, automobile license receipts, deeds, mortgages, contracts to which you have been a party, insurance policies, etc.

Evidence requirements for Family Unity applicants under section 1504 of Public Law 106-554, the LIFE Act, as amended - You must submit documents that prove entry into the United States before December 1, 1998 and residence on that date. Such evidence may include but is not limited to:

- At least three documents that prove entry into the United States before December 1, 1988. Examples: a photocopy of your Form I-94, Arrival Departure Record; Form I-862, Notice to Appear; Form I-122, Notice to Applicant for Admission Detained for Hearing Before an Immigration Judge; Form I-221, Order to Show Cause; photocopies of other DHS (including USCIS) documents or former INS documents, including any application or petition for benefits under the Act filed by or on your behalf on or prior to December 1, 1988, or a fee receipt issued for such application or petition.
- Other government documentation issued by a Federal, State, or local authority, provided such documentation bears the signature, seal, or other authenticating authority, was dated at the time of issuance, and bears the date of issuance not later than November 30, 1988, when proving entry. Examples: a State driver's license; a State identification card issued in lieu of a driver's license; a county or municipal hospital record; a public college or public school transcript; income tax records; property tax payment; private or religious school transcripts, the school having been registered with, or approved or licensed by appropriate State or local authorities, or having been accredited by the State or regional accrediting body, or by the appropriate private school association.
- Non-governmental documents that include actual dates. Examples: employment records; pay stubs; employer letters; or if self-employed, letters from banks and other firms with whom you have done business (your name and the name of the employer or interested organization must appear on the form or letter and must be in affidavit form, signed by the employer, under penalty of perjury, and must include dates of employment, home address at the time of employment, and duties with the company); hospital or medical records showing hospitalization or treatment showing the name of the medical facility or physician and dates of the treatment; attestation by a church official, union or other organization indicating your residence, dates of membership and attendance, including the organization's seal and letterhead.
- Other relevant documents, including but not limited to: rent receipts, credit card statements, utility bills, money orders, passport entries, insurance documents, birth certificate of child born in the United States, automobile license receipts, deeds, mortgages and contracts to which you have been a party.

• **Request for extension of Family Unity benefits.**

Copies of the following documents are evidence that the required relationship exists and that you may be eligible to file an application for extension of Family Unity benefits:

- A copy, front and back, of the document issued by USCIS or former INS to your legalized spouse or parent (for example: Form I-551, Permanent Resident Card, N-550, Certificate of Naturalization, etc.).
- If the legalized alien through whom Family Unity benefits were obtained is a lawful permanent resident or naturalized U.S. citizen, evidence that a Form I-130, Petition for Alien Relative, has been filed on your behalf.
- Evidence that you have been granted Family Unity benefits in the past.
- A list of all trips you have made outside the United States since you were last granted Family Unity benefits. This statement must include the dates and reason for each absence. If you have not been outside the United States since your last Form I-817 was approved, provide a statement affirming this fact.
- A list of all your residences in the United States since your last Form I-817 was approved.
- Fingerprints, if you were under the age of 14 years when your last Form I-817 was approved, but are now 14 years of age or older, or if USCIS requests them, as part of the biometric services.

Submit your application.

If you are filing under **section 1504 of Public Law 106-554, LIFE Act, as amended** - You must mail your application package to the following USCIS location:

**U.S. Citizenship and Immigration Services
P.O. Box 7219
Chicago, IL 60680-7219**

If you are filing under **section 301 of IMMACT 90** - You must mail your application package to the USCIS service center with jurisdiction over the place where you live.

- If you currently live in or intend to live in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Jersey, New Hampshire, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, West Virginia, or the U.S. Virgin Islands, mail the application to:

USCIS Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001

- If you currently live in or intend to live in Arizona, California, Guam, Hawaii or Nevada, mail the application to:

USCIS California Service Center
P.O. Box 10817
Laguna Niguel, CA 92607-0817

- If you currently live in or intend to live in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, or Texas, mail the application to:

USCIS Texas Service Center
P.O. Box 850965
Mesquite, TX 75185-0965

- If you currently live or intend to live anywhere else in the United States, mail the application to:

USCIS Nebraska Service Center
P.O. Box Box 87817
Lincoln, NE 68501-7817

Service Processing Information.

Our goal at USCIS is to process all applications fairly. The processing time will vary, depending on the specific circumstances of each case. We may reject an incomplete application. We may deny your application if you do not give us the requested information or do not go to a scheduled interview.

Change of Address: If you change your address, complete a Form AR-11, Alien's Change of Address Card, and mail it to the address noted on the Form AR-11.

USCIS Forms and Information.

To order USCIS forms, call our toll-free forms line at **1-800-870-3676**. You can also obtain information about immigration laws, regulations and procedures by calling our National Customer Service Center at **1-800-375-5283** or by visiting our internet website at **www.uscis.gov**.

Use InfoPass for Appointments.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our internet-based system, **InfoPass**. To access the system, visit our website at **www.uscis.gov**. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen. Print the notice and take it with you to your appointment. The notice gives the time and date of your appointment, along with the address of the USCIS office.

Privacy Act Notice.

USCIS will use the information on this form to determine your eligibility for the requested immigration benefit. We may provide information from your application to other government agencies.

Paperwork Reduction Act Notice.

You are not required to respond to this form unless it displays a currently valid OMB control number.

We try to create forms and instructions that are accurate, can be easily understood and that impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex.

The estimated average time to complete and file this application is as follows: (1) 25 minutes to learn about the law and form; (2) 35 minutes to complete the form; (3) 1 hour to assemble and file the application; for a total estimated average of 2 hours per application.

If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you may write to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue N.W., Washington, D.C. 20529; OMB No. 1615-0005. **Do not mail your completed application to this address.**

Application Check List

- ☐ Did you completely fill out and sign the form?
- ☐ Did you attach all required evidence?
- ☐ Did you attach three color photos?
- ☐ Did you attach a check or money order for the appropriate fee for the Form I-817, plus the appropriate fee if you are required to obtain fingerprints or other biometric services?

For your records you should keep copies of your application and supporting documents.

**I-817, Application for
Family Unity Benefits**

START HERE - Please type or print in black ink.

Part 1. Information about you. *(Person requesting Family Unity Benefits)*

Family Name <i>(Last Name)</i>	Given Name <i>(First Name)</i>	Full Middle Name
<input type="text"/>	<input type="text"/>	<input type="text"/>
Date of Birth <i>(mm/dd/yyyy)</i>	A # <i>(if any)</i>	U.S. Social Security No. <i>(if any)</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>
Country of Birth	Country of Citizenship	Gender
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Male <input type="checkbox"/> Female

Home Address: Street Number and Name *(include apartment number)*

<input type="text"/>		
City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

Mailing Address: *(If different from home address)*

<input type="text"/>		
C/O: <i>(In Care Of)</i>		
<input type="text"/>		
City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

Daytime Phone Number *(Area Code)*

<input type="text"/>

Part 2. Basis for application.

1. I am applying for family unity benefits because: *(check one box)*

- A. ☐ I am the spouse of an alien who was legalized under section 245A of the INA and we have been married since at least May 5, 1988.
- B. ☐ I am the spouse of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA and we have been married since at least December 1, 1988.
- C. ☐ As of May 5, 1988, I was the unmarried child under the age of 21 of an alien who was legalized under section 245A of the INA. I am currently the child, son or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before May 5, 1988 and maintained such status until his or her naturalization.
- D. ☐ As of December 1, 1988, I was the unmarried child under the age of 21 of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA. I am currently the child, son or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before December 1, 1988 and maintained such status until his or her naturalization.
- E. ☐ I am the spouse of a legalized alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment) and we have been married since at least May 5, 1988.
- F. ☐ As of May 5, 1988, I was the unmarried child under the age of 21 of an alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment). I am currently the child, son or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before May 5, 1988 and maintained such status until his or her naturalization.
- G. ☐ I am the spouse of an alien who is eligible for and has filed for adjustment pursuant to section 1504 of P. L. 106-554, the LIFE Act Amendments. I entered the United States before December 1, 1988 and was in the United States on that date.
- H. ☐ I am the unmarried child of an alien who is eligible for and has filed for adjustment pursuant to section 1504 of P. L. 106-554, the LIFE Act Amendments. I entered the United States before December 1, 1988 and was in the United States on that date.

For USCIS Use Only

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	
Reloc Rec'd	
Date	
Date	
<input type="checkbox"/> Applicant Interviewed on _____	
Remarks	
Action Block	
<input type="checkbox"/> Initial Application <input type="checkbox"/> Approved <input type="checkbox"/> Denied Valid from: _____ to: _____	
<input type="checkbox"/> Request for Extension <input type="checkbox"/> Approved <input type="checkbox"/> Denied Valid from: _____ to: _____	
To Be Completed by <i>Attorney or Representative, if any.</i> <input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant.	
ATTY State License #	

Part 2. Basis for application. (Continued.)

2. I am requesting: *(check one box)*

- ☐ Initial family unity benefits under section 301 of IMMACT 90.
- ☐ An extension of family unity benefits under section 301 of IMMACT 90.
- ☐ Initial family unity benefits under section 1504 of P. L. 106-554, the LIFE Act Amendments.

3. I am claiming relationship to: *(check one box)*

- ☐ A legalized alien under section 301 of IMMACT 90.
- ☐ An alien who is eligible for and has filed for adjustment under section 1504 of P. L. 106-554, the LIFE Act Amendments.

Part 3. Additional information.

1. At the time of your last entry into the United States, you:

a. ☐ were inspected and admitted ☐ were inspected and paroled ☐ entered without inspection

b. Date of last arrival (mm/dd/yyyy) I-94, Arrival Departure Document No. Current or most recent immigration status Date status expires (mm/dd/yyyy) Date continuous U.S. residence began (mm/dd/yyyy)

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2. Give the U.S. address where you lived on May 5, 1988 (sec. 245A/Cuban Haitian Adjustment) or December 1, 1988 (sec. 210/LIFE Act)
Street number and name **(include apartment number)**

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City State Zip Code

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3. Have you ever applied before for the Family Unity Program? ☐ No ☐ Yes (If "Yes," provide the following information)
Name under which you applied:

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City and state where application was filed Date filed (mm/dd/yyyy) USCIS (or former INS) action taken on case:

		<input type="checkbox"/> Approved <input type="checkbox"/> Denied
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4. If separate applications for Family Unity benefits are being submitted at this time for other relatives, give the following information:

Family Name (<i>Last Name</i>)	First Name	Middle Name	Relationship	A #

5. List all other names you have used (including maiden name)

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6. List all absences from the United States since May 5, 1988 or December 1, 1988, as appropriate, or since the approval of you last Family Unity application (Form I-817), whichever date is later.

Date of Departure (mm/dd/yyyy)	Date of Return (mm/dd/yyyy)	Date of Departure (mm/dd/yyyy)	Date of Return (mm/dd/yyyy)

NOTE: If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and A #, if you have one, at the top of each sheet and indicate the number of the item to which the answer refers.

Part 3. Additional information. *(Continued.)*

7. List all residences in the United States since May 5, 1988 or December 1, 1988, as appropriate, or since the approval of your last Family Unity application (Form I-817), whichever date is later.

Street Number and Name <i>(Include Apartment #)</i>	City	State	Zip Code	Dates of Residence	
				From	To Present
				From	To
				From	To
				From	To
				From	To
				From	To

8. Do you have or have you ever had:

- a. A communicable disease of public health significance (including chancroid, gonorrhea, granuloma inguinal, humanimmunodeficiency virus (HIV) infection, infectious leprosy, lymphogranuloma venereum, infectious stage syphilis, and active tuberculosis)? ☐ Yes ☐ No
- b. A physical or mental disorder and behavior associated with the disorder which has posed or may pose a threat to the property, safety, or welfare of yourself or others? ☐ Yes ☐ No

9. Have you ever:

- a. Knowingly committed a crime for which you have not been arrested? ☐ Yes ☐ No
- b. Been convicted of a felony or three (3) or more misdemeanors in the United States? ☐ Yes ☐ No
- c. Been convicted of two (2) or more offenses for which the aggregate sentences were five (5) or more years of confinement? ☐ Yes ☐ No
- d. Been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance? ☐ Yes ☐ No
- e. Been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action? ☐ Yes ☐ No
- f. Illicitly trafficked in any controlled substance or knowingly assisted, abetted or colluded with others in the illicit trafficking of any controlled substance? ☐ Yes ☐ No
- g. Committed a criminal offense in the United States and asserted immunity from prosecution? ☐ Yes ☐ No

If you answered "Yes" to any of questions in Number 9, attach a copy of the arrest record and court disposition to this petition.

10. Have you, at any time within the past three (3) years, engaged in the non-medical use of any drug listed in section 202 of the Controlled Substances Act (including, but not limited to, sedative, hypnotic, or anxiolytic substances [tranquilizers], amphetamines, cannabinoids, cocaine, hallucinogens, opioids, phencyclidine [PCP], and related substances)? ☐ Yes ☐ No
11. Have you, at any time within the past two (2) years, engaged in the use of any psychoactive substance not listed in section 202 of the Controlled Substance Act (including, but not limited to, alcohol and inhalants) which resulted in behavior that has posed a threat to the property, safety or welfare of yourself or others or which behavior is likely to recur or to lead to other harmful behavior? ☐ Yes ☐ No
12. Have you ever committed an act of juvenile delinquency, which if committed by an adult would be classified as follows: **(If you are a LIFE ACT applicant skip this question.)**
- a. A felony crime of violence that has as an element the use or attempted use of physical force against another? ☐ Yes ☐ No
- b. A felony offense that by its nature involves a substantial risk that physical force against another may be used in the course of committing the offense? ☐ Yes ☐ No
13. Do you intend to engage solely, principally, or incidentally in prostitution in the United States, or are you now or have you within the past ten (10) years, engaged in, procured, or received income from prostitution? ☐ Yes ☐ No
14. Have you been or do you intend to be involved in any commercial vice? ☐ Yes ☐ No
15. Have you ever practiced or do you intend to practice polygamy? ☐ Yes ☐ No
16. Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents, or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States, or any other immigration benefit? ☐ Yes ☐ No

Part 3. Additional information. (Continued.)

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|---|------------------------------|-----------------------------|
| 17. Have you ever falsely represented yourself to be a citizen of the United States for any purpose or benefit under the Immigration and Nationality Act or any Federal or State law? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 18. Are you a former citizen of the United States who renounced your U.S. citizenship for the purpose of avoiding taxation by the United States? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 19. Have you ever been an F-1 nonimmigrant student who violated status by attending a public elementary or secondary school in violation of immigration law? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 20. Have you ever failed or refused to attend or remain in attendance at a hearing to determine your admissibility to or deportability from the United States? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 21. Have you ever been identified by USCIS (or former INS) as having obtained transportation to the United States without the consent of the owner, charterer, master or person in charge of the vessel or aircraft through concealment onboard such vessel or aircraft on which you arrived? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 22. Have you been ordered deported, excluded, or removed from the United States? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 23. Have you ever departed the United States after having been unlawfully present for 180 days but less than 365 days? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 24. Have you ever departed the United States after having been unlawfully present for 365 days or longer? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 25. Have you ever knowingly encouraged, induced, assisted, abetted, or aided, anyone to enter the United States in violation of the law? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 26. Were you a guardian required to accompany an individual certified as helpless who was found to be inadmissible to the United States? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 27. Have you detained, retained, or withheld the custody of a U.S. citizen child outside the United States from a person granted custody of such child by a U.S. court order? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 28. Have you ever engaged in, conspired to engage in, or intended to engage solely, principally, or incidentally in: | | |
| a. Any activity to violate any U.S. law relating to espionage or sabotage? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Any activity to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Any other activity the purpose of which is in opposition to, or the control of, or overthrow of the government of the United States, by force, violence, or other unlawful means? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Any other unlawful activity? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 29. Have you: | | |
| a. Ever engaged in, conspired to engage in, or intended to engage in a terrorist activity? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Ever incited terrorist activity with intent to cause death or serious bodily harm? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Ever been a representative of a terrorist organization or a member of an organization which you knew or should have known is a terrorist organization? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 30. Have you ever engaged in or do you intend to engage in any activity in the United States that would have potentially serious adverse foreign policy consequences for the United States? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 31. Have you: | | |
| a. Ever been, or are you now, a member of the Communist or other totalitarian party? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Ever engaged in genocide, or ordered, incited, assisted or otherwise participated in the persecution of any person because of race, religion, national origin, membership in a particular social group, or political opinion? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 32. During the periods of March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, did you ever order, incite, assist or otherwise participate in the persecution of any person because of race, religion, national origin, or political opinion? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 33. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 34. Have you received public assistance from any source, including the U.S. government or any state, county, city, or other municipality or, are you likely to request public assistance in the future? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 35. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and not yet complied with the requirement? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 36. Have you ever voted in violation of any Federal, State, or local constitutional provision, statute, ordinance, or regulation? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOTE: If you answered "Yes" to any of the above questions, provide a full explanation on a separate sheet(s) of paper.

Part 4. Information about your spouse or parent. Your spouse or parent must be either a legalized alien or an alien eligible for adjustment pursuant to the LIFE Act.

1. Provide the following information about the alien through whom you are claiming your eligibility.

Family Name (Last Name)

Given Name (First Name)

Full Middle Name

Date of Birth (mm/dd/yyyy)

A # (if any)

U.S. Social Security No. (if any)

Class of Admission

Gender

☐ Male ☐ Female

Home Address: Street Number and Name (include apartment number)

City

State

Zip Code

Daytime Phone No. (Area Code)

2. List all other names used, including maiden name.

Part 5. Complete only if you are applying based on a marital relationship.

1. Provide the following information about you and your spouse.

Number of times you have been married.

Number of times your spouse has been married

2. Provide the following information about your current marriage.

Date of marriage (mm/dd/yyyy)

Place of marriage (city, state or province and country)

3. Type of ceremony.

☐ Religious

☐ Civil

☐ None

4. We are:

☐ Living together

☐ Not living together

Part 6. Complete only if you are applying based on a child/parent relationship.

1. Please indicate how your parent is related to you.

☐ Biological mother.

☐ Biological father who was married to my mother when I was born.

☐ Biological father who was not married to my mother when I was born.

☐ Stepparent - based on marriage to my parent which occurred before my 18th birthday.

☐ Adoptive parent and:

a. The adoption occurred before my 16th birthday.

☐ Yes ☐ No

b. My adoptive parent had legal custody of me for at least two years prior to May 5, 1988 or December 1, 1988, as appropriate.

☐ Yes ☐ No

c. I lived with my adoptive parent for at least two years prior to May 5, 1988 or December 1, 1988, as appropriate.

☐ Yes ☐ No

☐ Parent based on circumstances not described above. (Explain in detail on a separate sheet of paper.)

2. Give the following information about your marital status.

☐ Single

☐ Married

☐ Divorced

☐ Widowed

3. Provide the following information if you are married, divorced or widowed.

Date of marriage (mm/dd/yyyy)

Place of marriage (city, state or province and country)

4. Type of ceremony.

☐ Religious

☐ Civil

☐ None

5. We are:

☐ Living together

☐ Not living together

6. If divorced or widowed:

Date marriage ended (mm/dd/yyyy)

Place marriage ended (city, state or province and country)

Part 7. Signature. (Read the information on penalties in the instructions before completing this section.)

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this application is all true and correct. I certify also that I have not withheld any information that would affect the outcome of this application. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit being sought.

Signature**Date** (*mm/dd/yyyy*)

Part 8. Signature of person preparing form, if other than above. (*Sign below.*)

I declare that I prepared this application at the request of the above person and it is based on all information of which I have knowledge. I have not knowingly withheld any material information that would affect the outcome of this application.

Attorney or Representative: In the event of a Request for Evidence (RFE) may USCIS contact you by Fax or E-mail?

☐ Yes ☐ No

Preparer's Signature**Date** (*mm/dd/yyyy*)**Preparer's Printed Name****Preparer's Firm Name** (*if applicable*)**Preparer's Address****Daytime Phone Number** (*with area code*)**Fax Number** (*if any*)**E-Mail Address** (*if any*)

Signature for placement on Employment Authorization Document.

Please provide your signature below. This signature will be scanned and duplicated for placement on your Employment Authorization Document. **When signing, make sure that no part of your signature goes outside the lines of the box.**

Signature